

REMARKS

Favorable action on the merits is solicited.

Claim Amendments

Claims 9-16 are pending and subject to restriction.

Applicants have amended claims 14-16 in a non-narrowing manner to address the Examiner's concerns on page 4 of the Official Action and better conform to US practice. Specifically, claim 14 has been revised to provide a clearer image of chemical formula (I) as supported by claim 14 and the disclosure, for example, at the top of page 5 of the specification. Claims 14-16 have also been revised to correct typographical and spelling errors. For instance, claims 14 and 15 have been revised to remove reference to "
" and "#Y" and to correct formatting issues. Claim 16 has been revised to recite proper antecedent basis for "the α -aminoamide compound according to claim 14." No new matter has been added.

Response to Restriction

In response to the Restriction Requirement in the Office Action of December 31, 2008, Applicants hereby elect without traverse the invention of Group II, claims 14-16, drawn to a compounds and compositions of formula (I).

In response to the Species Election Requirement, Applicants elect without traverse the species of compound of 2-[(3-phenethyl-2,3-dihydro-benzofuran-5-yl)methyl]

-amino]-N-methyl-propanamide described in Example 1 on page 18 of the specification and in claim 15 for examination on the merits. Claims 14-16 are readable on the elected species.

Kindly consider the possibility of rejoinder of the non-elected invention, upon a determination of allowance of the elected invention, per U.S. rejoinder practice (See M.P.E.P. § 821.04). Also, please consider and examine additional species, upon a determination of allowance of the generic claims, in accordance with U.S. election of species practice.

Conclusion

Favorable action on the merits is solicited.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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